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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THERESE L. LESHER,)	Case No. 2:21-cv-00386-WBS-DMC
)	
Plaintiff,)	STIPULATION AND ORDER MODIFYING THE
)	SCHEDULING ORDER (ECF NO. 64) [L.R. 144;
vs.)	Fed. R. Civ. P. 6(b)(1)(A)]
)	
CITY OF ANDERSON, et al.,)	
)	
Defendants.)	
)	

PURSUANT TO CIVIL LOCAL RULE 144 (Fed. R. Civ. P. 6(b)(1)(A)), THE PARTIES HEREBY STIPULATE, THROUGH THEIR ATTORNEYS OF RECORD, AS FOLLOWS:

1. The parties worked together in good faith to accomplish the necessary discovery and depositions. Most non-expert discovery has been completed with the exception of two witnesses who have been difficult to locate and serve a subpoena upon for their depositions.
2. The majority of the discovery remaining in order for the case to be ready for trial is expert disclosures and expert discovery.
3. However, before the parties expend the substantial, additional attorney time and costs associated with expert disclosures and expert discovery, they have agreed that it would make sense to participate in an ADR session – either via private mediation or a settlement conference with a Magistrate Judge – to ascertain whether the case is resolvable. If the case is not resolvable, then litigation will resume shortly after the ADR session.
4. In order to provide the necessary time to schedule and meaningfully participate in an ADR session, while conserving the attorney time and costs associated with expert disclosures and expert discovery, it is necessary to extend the remaining deadlines by approximately 90 days. The reason that an extension of 90 days is requested is because, if the trial is continued, the undersigned counsel is unavailable for trial until May of 2024, so the extension of dates is intended to coincide with a May 7, 2024, jury trial.
5. The parties to this action believe that with a modest continuance of 90 days for all successive deadlines on the scheduling order, including the pretrial and trial dates, an ADR session can be scheduled, in which the parties will participate in good faith; if the case does not resolve, expert disclosures and expert discovery can be timely completed and the case will be ready to proceed to trial.

6. This is the parties' second request for an extension of the deadlines, pretrial, and trial dates.

7. The parties respectfully stipulate and request that the following dates/deadlines be extended as follows:

Event	Current Date/Deadline	Proposed Date/Deadline
Designation of Experts with Reports	October 16, 2023	February 13, 2024
Designation of Rebuttal Experts with Reports	November 16, 2023	March 15, 2024
Discovery Cutoff (Fact and Expert, including compliance with any Motion to Compel Order)	December 15, 2023	April 15, 2024
Deadline to file non-discovery Motions	October 16, 2023	February 13, 2024
Final Pretrial Conference	December 18, 2023 / 1:30 p.m.	April 15, 2024 / 1:30 p.m.
Trial	February 7, 2024 / 9:00 a.m.	May 7, 2024 / 9:00 a.m.

Respectfully Submitted,

Dated: October 13, 2023

**LAW OFFICE OF SANJAY S. SCHMIDT
-and-
LAW OFFICES OF PANOS LAGOS**

/s/ Panos Lagos

By: Panos Lagos
Attorneys for Plaintiff,
THERESE L. LESHER

Dated: October 13, 2023

ANGELO, KILDAY & KILDUFF, LLP

/s/ Kevin Dehoff* (authorized on 10/06/23)

By: Kevin Dehoff
KEVIN J. DEHOFF
Attorneys for Defendants CITY OF ANDERSON,
SEAN MILLER, JEFFREY MILEY, and
KAMERON LEE

*Pursuant to Local Rule 131(e), counsel has authorized submission of this document on counsel's behalf.

{00250636;1} **STIPULATION AND PROPOSED ORDER MODIFYING SCHEDULING ORDER**

Lesher v. City of Anderson, et al.

USDC (E.D. Cal.) Case No.: 2:21-cv-00386-WBS-DMC


ORDER

Pursuant to the parties' Stipulation and good cause appearing, the deadlines in this case are hereby modified by the Court as follows:

Event	Current Date/Deadline	Proposed Date/Deadline
Designation of Experts with Reports	October 16, 2023	February 13, 2024
Designation of Rebuttal Experts with Reports	November 16, 2023	March 15, 2024
Discovery Cutoff (Fact and Expert, including compliance with any Motion to Compel Order)	December 15, 2023	April 15, 2024
Deadline to file non-discovery Motions	October 16, 2023	February 13, 2024
Final Pretrial Conference	December 18, 2023 / 1:30 p.m.	April 22, 2024, 1:30 p.m.
Trial	February 6, 2024 / 9:00 a.m.	June 18, 2024, 9:00 a.m.

PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED.

Dated: October 13, 2023


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE